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Attorneys for Defendant,
MAERSK LINE, LTD.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SAMUEL GARRETT,

Plaintiff,

v.

MAERSK LINE LIMITED and DOES 1 –
10, *in personam*, and M/V SEA-LAND
EXPLORER and M/V SEA-LAND
METEOR their engines, tackle, apparel,
furniture, etc., *in rem*,

Defendants.

Case No.: C 07-03318 VRW

**THE PARTIES JOINT STATUS
CONFERENCE STATEMENT
REGARDING SETTLEMENT
CONFERENCE SCHEDULING**

The parties to this action, through their respective counsel, submit this Joint Status Conference Statement Regarding Settlement Conference Scheduling to comply with the Honorable Martin J. Jenkins Pretrial Order dated October 23, 2007.¹

The October 23, 2007 PreTrial Order

Counsel for the parties appeared before Judge Jenkins on October 23, 2007 for a Case Management Conference. At that time Judge Jenkins ordered that a settlement conference be held before Magistrate Judge Chen by October 2008. The plaintiff's counsel also inquired at the Initial Case Management Conference whether the Court would be inclined to schedule an early settlement conference. As a result, Judge Jenkins invited

¹ This matter was recently reassigned to the Honorable Chief Judge Vaughn R. Walker by order dated February 15, 2008.

1 counsel to inform the Court by February 29, 2008 if they were ready to participate in an
 2 early settlement conference (in advance of the October 28, 2008 deadline). The plaintiff,
 3 however, withdraws his request for setting an early settlement conference.

4 Counsel for the parties intended to complete as much of the initial discovery as
 5 possible to facilitate an early settlement conference taking place in March or April 2008. To
 6 that end the parties have exchanged their Rule 26 Initial Disclosures and initial rounds of
 7 written discovery. The defendant has also subpoenaed the records for at least some (those
 8 now known) of the plaintiff's past medical providers and employers. The plaintiff's
 9 deposition has also been noticed but has not yet taken place as the result of the plaintiff
 10 working aboard ship at sea since about mid October 2007.

11 The parties anticipate scheduling Mr. Garrett's deposition to take place just as soon
 12 as he returns to the United States. The parties submit that they should still be in a position
 13 to with an October 2008 deadline to participate in a settlement conference.

14 CONCLUSION

15 Based upon the above, the parties respectfully request that they be allowed to
 16 schedule a settlement conference with Magistrate Judge Chen that will comply with the
 17 Court's October 2008 deadline to complete the settlement conference.

18
 19 Dated: February 29, 2008

BANNING, MICKLOW & BULL
 Attorneys for Plaintiff
 SAMUEL GARRETT

21 By /S/ Edward M. Bull, III
 22 Edward M. Bull, III

23
 24 Dated: February 29, 2008

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